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EXAMINER

2721
ART UNIT PAPER NUMBER

09/22/98
DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/818,245

Applicant(s)

HIRUYUKI OGINO ET AL

Examiner

Bipin Shalvah

Group Art Unit

274

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8/31/98.
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 3-4, 7, 38, 40-50 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 3-4, 7 is/are allowed.
- ☒ Claim(s) 38, 40-50 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2616

1. Applicant's arguments filed 8/31/98 have been fully considered but they are not persuasive.

In the remark, applicants have argued in substance that:

Sasaki and Nagasaki does not suggest generating correction data on the basis of the reproduced image signal on pages 4-5 of the amendment.

In the reply, examiner does not agree with the remark. As stated in the rejection which follows, Nagasaki shows, it is old and well known to produce correction data (Y_C separation, filtering, and the like, col. 6, lines 44-46, which is considered correction data) on the basis of the image signal reproduced by the reproducing means (see col. 6, lines 31 to col. 7 line 15).

2. Examiner suggest In reproduction, reference video signal is taken, and it is reproduced to obtain WB control data, which is used to determine the gain, and when the other video signals are reproduced, WB control is performed by using this WB data, from specification, page 28, lines 3-9, which is further described on pages 28-30, should be included with correction data claimed in claim 38 and 45, to overcome prior art rejection.

Art Unit: 2616

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 38, 40-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. U.S. Patent 5,034,804. In view of Nagasaki et al. U.S. patent 5,153,730.

As to claim 38, Sasaki shows (fig. 1, 2, 6A, 6B, 9B, 9E and 11; col. 6, line 11 to col. 9, line 35; col. 9, line 35 to col. 10, line 40) an image processing system, comprising;

Memory means, a memory card 15 capable of storing the image signal with the condition information. The second memory being detachably attached to the apparatus (see figs. 6A, 6B; col. 7, line 60 to col. 8, line 68; specifically col. 8, lines 47-50; col. 4, lines 8-11);

Reproducing means for reproducing the image signal stored by the memory means (see col. 9, lines 35-38).

Art Unit: 2616

Producing means for producing correction data, and Signal correction means for performing a predetermined processing, and correcting the image signal reproduced by the reproducing means on the basis of the correction data. (see fig. 11; col. 9, line 35 to col. 10, line 40; specifically col. 9, lines 52-55, col. 10, lines 11-13). CPU 102 controls signal processing information based on information which was readout, which is considered correction data.

However, Sasaki does not show producing means for producing correction data on the basis of the image signal reproduced by the reproducing means. In the similar art, Nagasaki shows, it is old and well known to produce correction data (Y_C separation, filtering, and the like, col. 6, lines 44-46, which is considered correction data) on the basis of the image signal reproduced by the reproducing means (see col. 6, lines 31 to col. 7 line 15). It would have been obvious to one of ordinary skill in the art at the time of the invention, to include the teachings of Nagasaki, in the apparatus of Sasaki, to shorten the time required to process the image signals output by the CCD (see Nagasaki, col. 2, lines 10-15; and also it improves the image, as signal can be processed with high accuracy in to flaw-less still image signal, Nagasaki, col. 7, lines 1-2).

Art Unit: 2616

As to claim 40, Sasaki further shows, holding means, frame memory 95, for holding the reference information, signal processing means performing a processing on image signals other than the image signal used to produce the reference information, on the basis of the reference information held by the holding means buffer memory 95 (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 41, Sasaki further shows designating means (CPU 102) for designating a reference signal from among image signals stored in the memory (see col. 9, lines 40-46, file number is reference signal).

As to claim 42, Sasaki further shows, reference signal (file number), designated by the designating means (keyboard 104, col. 9, lines 40-46).

As to claim 43, Sasaki further shows, holding means, frame memory 95, for holding the reference information, signal processing means performing a processing on image signals other than the reference signal on the basis of the reference information held by the holding means buffer memory 95 (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 44, Sasaki further shows, displaying means for displaying an image associated with an image signal outputted

Art Unit: 2616

from the signal processing means (see col. 10, lines 21-40; fig. 11, item 107).

As to claims 45-50, they recite on what is discussed above regarding claims 38, 40-44.

5. Claims 7, 3 and 4 are allowable over the prior art of record.

6. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

Control information is copied from second memory means to the first memory means when the second memory means is removed from the apparatus. When third memory means is attached to the apparatus, control information copied from second memory means to first memory means is copied from first memory means to third memory means, in combination with other limitations of claim is not shown or suggested by the prior art.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

Serial Number: 08/818,245

Page 7

Art Unit: 2616

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bipin Shalwala whose telephone number is (703) 305-4938.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.


**BIPIN SHALWALA
PATENT EXAMINER
GROUP 2600**